

know that Dan French will be guided by Justice Jackson's words.

Dan French will be a splendid U.S. Attorney and I congratulate him on his confirmation and salute his wife, television broadcaster Kelly French and their two children Margaret Anne and Gavin Mitchell.

Mr. LEAHY. Mr. President, I am pleased that the Senate has voted today on the confirmation of Judge Florence-Marie Cooper to be a United States District Court Judge for the Central District of California.

Florence-Marie Cooper is a distinguished Californian. She has distinguished herself with a long career of service in the California state court system. She was a Deputy City Attorney for the City of Los Angeles in 1977. From 1978 to 1983, she was a Senior Research Attorney for the California Court of Appeal Second Appellate District. Then, from 1983-1990 she was a Court Commissioner for the Los Angeles Superior Court. From 1990-1991 she was a Judge in the Los Angeles Municipal Court. Since 1991 she has been a Judge in the Los Angeles Superior Court.

Judge Cooper received her undergraduate degree in 1971 from the City College of San Francisco, and her law degree from Whittier College School of Law in 1975. Following law school, she clerked for the Honorable Arthur Alarcon on the Los Angeles Superior Court Appellate Department.

The Senate could help Judge Florence-Marie Cooper's future workload if it would likewise take up and consider the nominations of the other nominees to her District Court: Judge Virginia Phillips, Dolly Gee and Frederic Woocher. Virginia Phillips was first nominated back in May 1998 and is still awaiting a hearing in order to fill a judicial emergency vacancy on that Court. The Judiciary Committee recently received a letter from Chief Judge Hatter of that Court in which he implored the Senate to act promptly on the nomination of Judge Virginia Phillips. Judge Hatter notes that the Eastern Division of the Central District is one of the fastest growing areas in the nation and has only one judge with a "staggering caseload." He explains that the reassignment of cases to Los Angeles from San Bernadino "results in a large number of litigants, witnesses, lawyers, and law enforcement officers having to travel to Los Angeles, some sixty (60) miles away, by way of the most traffic congested roads in the United States." I thank Chief Judge Hatter for his letter and want him to know that I, for one, understand. Those who say there is no judicial vacancies problem ought to consider Chief Judge Hatter's perspective and the problems created for thousands of people each year in his District.

The Senate also has before it ready for a final confirmation vote the nomi-

nations of Judge Richard Paez, Marshal Berzon and Ronald Gould, to the Ninth Circuit. The nomination that has been longer before the Senate is that of Judge Richard Paez, 44 months. The nomination that has been longest on the Senate Executive Calendar is that of Marshal Berzon, whose nomination was reported on July 1, before the 4th of July recess, before the extended August recess and before the Columbus Day recess.

The Senate could and should be voting up or down on the Paez and Berzon nominations. The Senate needs to fulfill its duty to each of these outstanding nominees and to the tens of millions of people served by the Ninth Circuit. A few anonymous Republican Senators are holding up action on these important nominations. Two weeks ago, the Majority Leader came to the floor and said that he would try to find a way to have these two nominations considered by the Senate. The way is to call them to a fair up-or-down vote. I want to help the Republican leader and help the Senate find its way clear to do that without additional delay and obstruction.

Despite the policy announced at the beginning of this year doing away with "secret holds," that is what Judge Paez and Marsha Berzon still confront as their nominations continuing to be obstructed under a cloak of anonymity after 44 months and 20 months, respectively. That is wrong and unfair. This continuing delay demeans the Senate, itself.

I have great respect for this institution and its traditions. Still, I must say that this use of secret holds for extended periods that doom a nomination from ever being considered by the United States Senate is wrong and unfair and beneath us. Who is it that is afraid to vote on these nominations? Who is it that must hiding their to these nominees? After almost 4 years with respect to Judge Paez and almost 2 years with respect to Marsha Berzon, it is time for the Senate to vote up-or-down on these nominations.

The Chief Justice of the United States Supreme Court wrote in January last year:

Some current nominees have been waiting a considerable time for a Senate Judiciary Committee vote or a final floor vote. * * * The Senate is surely under no obligation to confirm any particular nominee, but after the necessary time for inquiry it should vote him up or vote him down.

At the time the Chief Justice issued this challenge, Judge Paez' nomination had already been pending for 24 months. The Senate received the Berzon nomination within days of the Chief Justice's report. That was almost 2 years ago and still the Senate stalls and refuses to vote. Let us follow the advice of the Chief Justice. Let the Republican leadership schedule fair up or down votes on the nominations of

Judge Paez and Marsha Berzon so that the Senate can finally act on them. Let us be fair to all.

The debate on judicial nominations over the last couple of weeks has focused the Senate and the public on the unconscionable treatment by the Senate majority of selected nominees. The most prominent current examples of that treatment are Judge Paez and Marsha Berzon. With respect to these nominations, the Senate is refusing to do its constitutional duty and vote. I challenged the Senate last Friday, in the aftermath of the rejection of the nomination of Justice Ronnie White by the Republican caucus, to vote on the nominations of Judge Paez, Marshal Berzon, Judge Julio Fuentes, Judge Ann Williams, Judge James Wynn, Kathleen McGee Lewis and Enrique Moreno.

Nominees deserve to be treated with dignity and dispatch—not delayed for 2 and 3 and 4 years. I continue to urge the Republican Senate leadership to proceed to vote on the nominations of Judge Richard Paez and Marsha Berzon. There was never a justification for the Republican majority to deny these judicial nominees a fair up or down vote. There is no excuse for their continuing failure to do so.

I know the Senate has done the right thing and confirmed Judge Florence-Marie Cooper to the Central District of California and that she will be an outstanding judge. I will continue my efforts to bring to a vote the nominations of Judge Richard Paez and Marsha Berzon.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

RECOGNIZING MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES WHO PARTICIPATED IN KOSOVO AND THE BALKANS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 224 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 224) expressing the sense of the Senate to designate November 11, 1999, as a special day for recognizing the members of the Armed Forces and the civilian employees of the United States who participated in the recent conflict in Kosovo and the Balkans.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CLELAND. Mr. President, I am reminded of incredibly sacred places

and moments in our history when I rise to talk about recognition of our veterans—past and present—on Veteran's Day—recognizing all our veteran's from all our wars. Places like Arlington National Cemetery, Andersonville, Georgia, the beaches of Normandy, Pearl Harbor, the Chosin Reservoir, Keshan, the deserts of Kuwait, and now the skies over Kosovo, should be indelibly etched in all our thoughts.

It is often said "Poor is the nation which has no heroes, but poorer still is the nation which has them but forgets." We will gather all over this great nation on Thursday, November 11, 1999 to remember for the last time this century our veterans and to restate our commitment that they will never be forgotten. I consider all those who has ever been in uniform to my brothers and sisters. We all came to these hollowed chambers through distinguished routes, I got to Washington because of those who served in the military and I work here, day in and day out, for them!

As we depart Washington, I ask that we reiterate our promise to our Soldiers, Sailors, Airmen, Marines, DoD civilians, and their families—that they will not be slighted, now or ever—that we honor their service—that we honor the service of those still missing, because their plight is our plight.

We cannot remember our Veterans properly without remembering the sacrifices of war—these are the issues that hit home. We remember those service members who have sacrificed for this nation, and we pay special tribute to their families.

I ask through my resolution that we additionally pay special tribute this Veteran's Day to those service members—active, guard, reserve, and civilians—who participated in the recently successful military operations—combat and humanitarian—in Kosovo and the entire Balkans area of operations.

Over 39,000 members of the Armed Services deployed to the Balkans area during the peak of Kosovo operations, 700 U.S. aircraft were deployed, 37,000 overall missions were flown with 25,000 of these by U.S. aircraft, and 5,000 missions were weapons strike missions. We all know that this is only a partial picture of what was occurring on the ground, on the high seas, and in the air. These facts fit any definition of warfare.

We can not forget these individuals and their families any more than we can forget those of all of our past wars. If freedom is the fruit of victory, Veteran's Day reminds us too of the cost of war—casualties, POWs, and MIAs. They live in our hearts while we live in the world they made safe for us. I call for us all this Veteran's Day to remember specially our Kosovo and Balkans service members as we remember all past veterans.

Every day I wake up, I thank God I am here. I am inspired to continue liv-

ing by the memory of our veteran's. The vigilance of those that went to Kosovo, like those who still serve in the Balkans, those in the desert, those in ships, and those in Korea and in the far corners of the earth, is now my vigilance, their fight is now my fight. I ask my colleagues to remember and to ensure that their sacrifices are not made in vain.

Secretary Cohen recently stated at the POW/MIA recognition ceremony at Arlington Cemetery—an awesome, somber experience—that "we are the heirs of freedom, paid for with the blood of patriots." I ask my colleagues to remember our Kosovo and Balkans patriots in their ceremonies this Veteran's Day. How fortunate we are, how much we owe.

I will be remembering veterans from Georgia in the Kosovo conflict, especially veterans from Warner Robbins Air Force Base, Fort Stewart near Savannah, the naval air station in Atlanta and Moody Air Force Base in Valdosta.

I thank the Chair.

Mr. GRASSLEY. I ask unanimous consent the resolution and the preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 224) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 224

Whereas approximately 39,000 members of the Armed Forces and civilian employees of the United States were deployed at the peak of the 1999 conflict in Kosovo;

Whereas approximately 700 United States aircraft were deployed and committed to combat missions during that conflict;

Whereas approximately 37,000 combat sorties were flown by aircraft of the North Atlantic Treaty Organization (NATO) during that conflict;

Whereas approximately 25,000 combat sorties were flown by United States aircraft during that conflict;

Whereas more than 5,000 weapons strike missions were completed during that conflict;

Whereas that conflict was the largest combat operation in the history of the North Atlantic Treaty Organization;

Whereas the United States and the North Atlantic Treaty Organization achieved all the military objectives of that conflict;

Whereas there were no United States or North Atlantic Treaty Organization combat fatalities during that conflict; and

Whereas that conflict was the most precise air assault in history: Now, therefore, be it

Resolved, That it is the Sense of the Senate—

(1) to designate November 11, 1999, as a special day for recognizing and welcoming home the members of the Armed Forces (including active component and reserve component personnel), and the civilian personnel of the United States, who participated in the recently-completed operations in Kosovo and

the Balkans, including combat operations and humanitarian assistance operations;

(2) to designate November 11, 1999, as a special day for remembering the members of the Armed Forces deployed in Kosovo and throughout the world, and the families of such members;

(3) to make the designations under paragraphs (1) and (2) on November 11, 1999, in light of the traditional celebration and recognition of the veterans of the United States on November 11 each year;

(4) to acknowledge that the members of the Armed Forces who served in Kosovo and the Balkans responded to the call to arms during a time of change in world history;

(5) to recognize that we live in times of international unrest and that the conflict in Kosovo was a dangerous military operation, as all combat operations are; and

(6) to acknowledge that the United States owes a debt of gratitude to the members of the Armed Forces who served in the conflict in Kosovo, to their families, and to all the members of the Armed Forces who place themselves in harm's way each and every day.

APPOINTMENT TO INTELLIGENCE COMMITTEE

Mr. GRASSLEY. I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 232, submitted earlier by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 232) making changes to Senate Committees for the 106th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GRASSLEY. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 232) was agreed to, as follows:

S. RES. 232

Resolved, That notwithstanding the provisions of S. Res. 400 of the 95th Congress, or the provisions of rule XXV, the following changes shall be effective on those Senate committees listed below for the 106th Congress, or until their successors are appointed:

Committee on Intelligence: Effective the 2nd session of the 106th Congress, remove Mr. DeWine, and Mr. Kerrey.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 106-16

Mr. GRASSLEY. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following convention transmitted to the Senate on November 10, 1999, by the President of the United States: Treaty with Ukraine on Mutual Legal Assistance in Criminal Matters (Treaty Document No. 106-16).